

REMARKS

Entry of Amendment

As Applicants are filing a RCE herewith, this amendment should be entered and considered by the Examiner at this time.

Applicants are amending Claim 18 to correct a minor error therein.

Applicants will address each of the Examiner's rejections in the order in which they appear in the Final Rejection.

Claim Rejections - 35 USC §102

In the Final Rejection, the Examiner rejects Claims 15-22, 26-28 and 31 under 35 USC §102(b) as anticipated by or, in the alternative, under 35 USC §103(a) as obvious over Forrest et al (US 5,703,436). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 15 and 16 to recite the features of “a fourth layer containing a hole transporting material over the third layer, the fourth layer being in direct contact with the third layer” and “a cathode (containing reflective metal) over the fourth layer, the cathode being in direct contact with the fourth layer.” These features are shown, for example, in Fig. 1 of the present application. Hence, in the device of Claims 15 and 16, the cathode (containing reflective metal) and the third layer including a transparent conductive film are *not* in direct contact (i.e. a fourth layer is over the third layer and a cathode is over the fourth layer). Therefore, electric erosion due to the difference in the self-potential can be prevented with the claimed invention, and the reaction of the reflective metal and the transparent conductive film can be prevented. See e.g. paragraph [0037] in the specification of the present application.

In contrast, a hole transporting layer 21H or 22H (which the Examiner contends is the claimed “fourth layer”) in Forrest is *not in direct* contact with a metal layer 26M (which the Examiner contends is the claimed “cathode”). Instead, metal layers 26M in Forrest *are in direct* contact with ITO layers 26I (which the Examiner alleges is the claimed “third layer including a transparent conductive film”). See Figs. 2A, 2B and 2C. This is contrary to the claimed structure.

Therefore, independent Claims 15 and 16 are not disclosed or suggested by Forrest, and Claims 15, 16 and those claims dependent thereon are patentable over Forrest. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also rejects Claims 23-25 and 29-30 under 35 USC §103(a) as being unpatentable over Forrest and further in view of Ishihara et al (US 2003/0048072). This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, each of these claims is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are also adding new Claims 32-47. New independent Claim 32 recites the features of “an anode for the light-emitting material” and “a cathode for the light-emitting material.” In the Office Action, the Examiner states that Forrest discloses an anode (35 or 38) and a cathode (topmost 26M). In Forrest, LED 20, LED 21 and LED 22 are stacked. Thus, it appears that the ITO layer 35 or reflective metal layer 38 and the topmost metal layer 26M are not for the same LED (see

e.g. column 5, line 57 to column 6, line 2 and Figs. 2A to 2C in Forrest). Therefore, Claim 32 is distinguishable over Forrest.

Accordingly, as a RCE is being filed herewith, it is respectfully requested that these new claims be entered and allowed.

If any fee should be due for these new claims, please charge our deposit account 50/1039.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, the RCE, and/or the new claims, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

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